BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE P.K.SHAMSUDDIN
(RETD. JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE T.V.RAMAKRISHNAN
(RETD.JUDGE, HIGH COURT OF KERALA)

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

WP(C).No. 22926 of 2006(D)

AGAINST THE ORDER IN EP.211/2006 IN
OS.26/1996 of MUNSIFF COURT, HOSDRUG
.....

PETITIONER:

BABY NITHIRATHIL, AGED 30 YEARS,
S/O.LATE NITHIRATHIL KORA, RESIDING AT
AVULLAKODE IN PARAPPA VILLAGE, HOSDURG TALUK.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS:
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1. NITHIRATHIL MONICCA, AGED 63 YEARS,
W/O.LATE NITHIRATHIL KORA,
RESIDING AT AVULLAKODE IN PARAPPA VILLAGE,
HOSDURG TALUK.

2. SHIRLY NITHIRATHIL, AGED 32 YEARS,
D/O.LATE NITHIRATHIL KORA,
W/O.BALAN, HOUSEHOLD, RESIDING AT PANTHARKAVU
IN BEEMANADI VILLAGE, HOSDURG TALUK.

BY ADV. SRI.M.V.AMARESAN (FOR R1)
SRI.V.N.RAMESAN NAMBISAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF THE PLAN COPY.

EXT. P2: COPY OF THE E.P.FILED BY THE 1ST RESPONDENT HEREIN.

EXT. P3: COPY OF THE OBJECTION FILED BY THE PETITIONER.

EXT. P4: COPY OF THE ORDER DATED 1-8-2006 IN E.P. 211 OF 2006 ON THE FILES OF THE MUNSIFF COURT, HOSDURG.

/TRUE COPY/

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P.K.SHAMSUDDIN (RETD. JUDGE) &
T.V.RAMAKRISHNAN (RETD. JUDGE)

W.P(C) No. 22926 OF 2006

Dated this the 8th day of January, 2007

A W A R D

P.K.SHAMSUDDIN (Rtd. Judge)

We heard the counsel for the petitioner and 1st respondent, who is the only contesting respondent in the case. The petitioner and first respondent also appeared in person. After discussion the parties agreed to settle the whole disputes. In terms of the settlement the 1st respondent will sell the property with an extent of 94 cents in Survey Number 38/2 of Parappa Village and another extent of 82 cents in the same Survey Number to the petitioner on payment of Rs.5,50,000/- (Rupees Five lakhs and fifty thousand only) towards the consideration. The amount of Rs.3,00,000/- (Rupees Three Lakhs only) will be paid by the petitioner on or before 22.1.07 and the remaining Rs.2,50,000/- (Rupees Two lakhs and fifty thousand only) will be paid on or before 30.3.2007. On receipt of the full consideration of Rs.5,50,000/- the 1st respondent has agreed to execute the document transferring the property in favour of the petitioner within one week of the receipt of the full consideration mentioned above. The 1st respondent also will sign necessary documents for change of Patta after the transfer of the property.

All the disputes in writ petition are disposed of as above.

P.K.SHAMSUDDIN
(RETD. JUDGE)

T.V.RAMAKRISHNAN
(RETD. JUDGE)

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